



**TROULIS & PARTNERS** LAW FIRM

## **Memo on Greek Immigration and Residency**

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**This Memo contains 6 pages**

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## **A. Greek Immigration and Residency**

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The residence permit regime in Greece is governed by Law 4251/2014 (the “**Law**”) and provides non EU citizens a number of opportunities to receive a Work/Residence permit for Greece and enjoy the benefit of transit and free movement within the territories of the other member states of the European Union which belong to the Schengen area.

In light of the above, we provide hereunder an overview of the following:

- the current Greek immigration law as concerns the Work/Residence Permits for legal representatives and manager working for Greek subsidiaries or branches of foreign companies;
- the steps the foreign (non-EU) individual applicant is required to follow in order to, firstly, issue the entry visa, and, secondly, receive the Greek residence permit.

## **B. Residence Permit Overview**

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### **1 Entry Visa Regime - Long-term National Visa (type D)**

Firstly, the applicant, who wishes to work for and act as a director of a Greek subsidiary or branch of a foreign company, requires first an entry visa to enter Greece so that he/she may thereafter initiate the process of issuing a residence permit. A foreign citizen may enter the country with a long-term national visa (type D), issued by the Greek Consulate in his/her country of origin. In order to obtain a Work/Residence permit for dependent work, a Chinese citizen would need to enter Greece with a long-term national visa (type D), issued by the Greek Consulate in one of the cities in China.

### **2 Residence Permit**

Following the issue of an entry visa and the applicant’s arrival to Greece, the applicant is required to complete the needed actions to apply for the residence permit before the expiry of the entry visa. In this case, the entry visa allows the Applicant to undertake all legal acts and transactions required with the competent authorities for the issue of the residence permit.

The applicant may undertake the process himself/herself or provide a power of attorney to a lawyer who, as his/her legal representative, will submit the initial application for the residence permit, submit any additional documentation and receive the residence permit when and if this is issued. However, it should be noted that for the receipt of the residence permit the original passport of the applicant must be produced.

When the initial application along with the necessary documentation is submitted, the applicant receives an application submission certificate which is valid for one year and provides the applicant with all the rights granted to a holder of the residence permit. However, the holder of the certificate, following the expiry of his/her visa, is not granted the right of transit to other member states of the Schengen area. The holder of a residence permit may apply for the permit's renewal two months before its expiry.

## **Special Purpose Residence Permits for legal representatives and managers (article 17, Law No.4251/2014)**

A Work/Residence permit may be granted to non EU citizens who may reside and work in Greece under special legislation, international treaties or for the purposes of culture, sports and the economy.

Article 17 of Law No.4251/2014 include especially members of the board of directors, shareholders, legal representatives and executives of Greek subsidiaries or branches of foreign companies which have legal business activities in Greece. Article 17 has a special provision for Managing Directors and Directors of Greek subsidiaries or branches of foreign companies with the condition that an employment contract exists between the Managing Director or the Director with the Greek subsidiary or branch, evidencing his/her position in the company as Managing Director or Director and his/her remuneration, which must correspond to that of an executive member of the Company and which should be greater than that received by ordinary employees.

## **C. Practical Steps and Supporting Documents**

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### **1 Entry Visa**

#### **1.1 Issue of an Entry Visa**

The foreign citizen must obtain an entry visa from a Greek Consulate in his/her country of origin.

#### **1.2 Documentation required for the long-term visa (type D)**

We would recommend that a telephone call be made to the specific Greek consulate to obtain any clarifications and/or confirmations to the issues below. The applicant must submit with the Greek consulate the following:

- a. Completed and signed application form;
- b. Two colored photographs in natural form, whose technical specifications are identical to those of the passports and in digital form in an optical storage disk (CD) in graphical format JPEG2000 Valid travel document issued within the previous 10 years, with validity extending at least three months after the intended date of departure;

- c. Process fee of approximately EUR 60;
- d. Criminal record from the competent foreign (i.e. Chinese) authorities;
- e. Certification that application has been submitted to the relevant Social Security Authority in order to cover hospital expenses, healthcare and occupational accident or a Private Insurance Contract with the duration of covering one year, which have been concluded either in Greece or abroad in the case it is expressly stated that covers the person concerned for as long as is a resident in Greece.
- f. An interview with the applicant will then take place in order for the consulate authority to establish the purpose of the applicant's visit to Greece

## **2 Residence Permit**

### **2.1 Issue of a Work/Residence Permit**

The employee, who receives an entry visa, then must apply for a Residence permit for special purpose for legal representatives when he/she arrives in Greece.

The employee is allowed to sign an employment contract with another employer while the initial Residence permit is valid, if there is no change in the specialization for which the Work/Residence permit had been issued. The employee may work in a different regional district in Greece and change his/her specialization after one year has passed since the initial Residence permit had been issued.

### **2.2 Documentation required for the Residence Permit**

We would recommend that before the submission of the application for the Residence Permit to confirm with the Greek Regional Administration of the Ministry of Interior, if there are any additional documents which may be required for a particular applicant.

- a. Completed and signed application form;
- b. Two colored photographs in natural form, whose technical specifications are identical to those of the passports and in digital form in an optical storage disk (CD) in graphical format JPEG2000Valid travel document issued within the previous 10 years, with validity extending at least three months after the intended date of departure;
- c. Certified Passport and the long term Visa type D.
- d. Process fee of approximately EUR 500;
- e. Certification that application has been submitted to the relevant Social Security Authority in order to cover hospital expenses, healthcare and occupational accident or a Private Insurance Contract with the duration of covering one year, which have been concluded either in Greece or abroad in the case it is expressly stated that covers the person concerned for as long as is a resident in Greece.

- f. Employment Contract between the Greek Company and the applicant.
- g. Copy of the Articles of Association of the Greek Company, or
- h. Copy of the Minutes of the Shareholders Meeting of the Greek Company which proves the election of the applicant as the legal representative of the Greek Company.

In addition to the above, and before the issue of the Residence Permit, the applicant may be required to have the following:

- Greek tax number;
- Rent Agreement; and
- Greek social security.

### **2.3 Duration of the Residence Permit**

The Work/Residence permit is normally valid for two (2) years but may be longer based on the purpose of the applicant's residence.

## **3 Obtaining a Greek Residence Permit**

- Step 1: Gather all documentation required by law.
- Step 2: File the application for a Greek residence permit (within the period of the visa's validity) in person or through a proxy to the one-stop service at the Regional Administration of the Ministry of Interior where the applicant resides in Greece. Either an original passport of the applicant or a copy of the passport certified by a lawyer must be submitted.
- Step 3: The authorities receiving the application will issue a confirmation that the application has been submitted. This confirmation is valid for one year and it constitutes evidence until the residence permit is issued. The confirmation receipt allows the applicant to reside legally in Greece for its duration, travel to and from his/her country of origin but not to other European countries.
- Step 4: The Secretary General of the Regional Administration issues a decision regarding the residence permit. The time required to process the application may not exceed two months after all the necessary documents have reached the competent authority.

Note: The residence permit is a sticker placed on the applicant's passport, thus the authorities require the original passport in order for the applicant to receive the residence permit.